IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION Nos. 5653, 5806 & 6283 of 1997

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

==========

1. Whether Reporters of Local Papers may be allowed to see the judgement? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

BHAVSINH BHIMJISINH VAGHELA

Versus

DISTRICT DEVELOPMENT OFFICER

Appearance:

1. Special Civil Application No. 5653 of 1997
   MR PS CHAMPANERI for Petitioner No. 1-2
   MR DJ CHAUHAN for Respondent No. 1
   MR KS NANAVATI for Respondent No. 1
   MR KH BAXI for Respondent No. 1
   MR PARESH M DAVE for Respondent No. 2
   MR RS SANJANWALA for Respondent No. 3
   GOVERNMENT PLEADER for Respondent No. 4
   ..... for Respondent No. 5
2. Special Civil Application Nos. 5806 & 6283 of 1997
   MR BM MANGUKIYA for Petitioners
   ..... for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 08/04/2004

COMMON ORAL JUDGEMENT

The petitioners have challenged the proceedings of issuance of the notice of agenda of the General Board meeting of Ahmedabad District Panchayat on 5th July 1997.

2. On 9th August 1997, this Court, after hearing the parties, granted ad-interim relief in terms of para 15(B), which reads as under:

"Considering all the facts and circumstances of the case, the following interim order was passed:

(i) The execution, operation of the impugned proceedings - Annexure "A" dated 29.7.97 whereby various statutory committees have been constituted is stayed.

(ii) Execution, operation of the orders dated 7.8.1997 and 8.8.97 of the Development Commissioner dated Annexure K-1 and K-2 are stayed.

(iii) General meeting of the District Panchayat, Ahmedabad shall be held on 12.8.1997. However, the Committee such constituted shall not function till further orders of this Court.

(iv) The election of the Constituted Committee shall be held under the supervision of any officer not below the rank of Dy.Registrar, named by the REgistrar of the High Court. The said officer shall be entitled to a remuneration of Rs.1000/-.

(v) The District Panchayat will deposit an amount of Rs.2,000/- before 12.8.1997 in this Court.

It will be open for the officers so nominated to take any other staff with him to assist him. The said officer will report to this Court immediately.

(vi) The proceedings of 12.8.97 shall be subject to the decision of this Special Civil Application.

(vii) This Special Civil Application along with Special C.A. No.5806/97 be listed for final hearing on 20.8.1997. Direct service."

3. The term of the Panchayat is over and therefore, these petitions have become infructuous. Hence, these petitions are dismissed as having become infructuous. Rule is discharged. Interim relief shall stand vacated. No order as to costs.

(K.S. Jhaveri, J.)

Sreeram.